1: Cohen E-4,5 (1956-1965) 1967 MS14 Kanuri MS14

ma, who when he was in court, sat in front of the throne facing the same way as the Shehu between the two lines. This symbolized his semi-independent status as a holder of a large section of the kingdom rather than a set of fragmented fiefs. Thus the idea of a consolidated set of fief-holdings on the western boundary was maintained. There was a constant threat from the Fulani which made such a move politically expedient.

How much actual power this nineteenth-century court actually had is debatable. Obviously a few favorite advisers who had the ear of the monarch could become very powerful men during the period of their favor. However, who these were seems to have varied throughout the century. Indeed even a place in court might be gained by a very ambitious rural chief, if he appeared often enough and was able to please the monarch by his service and tributes. In the realm of the judiciary some significant changes occurred as well. Before the nineteenth century, as we have already noted, there was a chief judge, the Talba, who was ranked as "the second man" in the state. During the double regency at the beginning of the century, the first Shehu, Laminu, acted as his own chief judge. He was steeped in Koranic learning and is supposed to have had magical powers that enabled him to adjudicate even the most difficult of cases, harshly but with justice. Parenthetically, this power—and not his military acumen and leadership—is considered by the traditions to have been the chief reason why Laminu saved Bornu from the Fulani wars. Later in his rule, sometime in the 1820s, Shehu Laminu appointed two leading religious personages who came from the families of the leading Bornu religious practitioners to the new offices of Liman and Imam. The former took over the major duties of chief legal adviser to the Shehu, while the Imam became the chief religious practitioner in the state. The old Talba stayed with the court of the former dynasty, and after its demise the title became a lesser one in the judicial hierarchy which is where it stands today.

Punishments for misdemeanors were relatively harsh by contempory standards. Adultery on a Muslim holy day could bring 400 lashes to a man or 200 to a woman. It was believed that judges in the capital of Kuka actually set spies upon the populace in search of law breakers. Intentional murder was punishable by death, and the relatives of the dead man carried out the execution by stoning the murderer. Thieves who were repeatedly caught finally had a hand cut off or were tortured by being buried up to the neck, then having their heads buttered or honeyed and exposed above the ground to attract insects. Unpaid debts proven in court resulted in the confiscation of all the debtor's movable property and a fine to the court. The debtor was pinned to the ground by court officials until he consented to confiscation. However, if he obviously had no means at all, the judge dismissed the case with the words, "God send you the means."

All titled officials and even untitled followers of the Shehu could be given or they could inherit, at the pleasure of the Shehu, rights of revenue collection and administration in one or more settlements spread throughout the entire state. These fiefs were granted by the Shehu, nominal owner of all the land in the state. Generally speaking such rights were hereditary in the male line, but the Shehu could diminish or expand the holding of one fief-holder at the expense of another, and a new monarch was expected to patronize his own favorites. Any person holding a fief directly from the monarch was called a chima kura or "the big lord." There

586 779 ing, "I divorce you," or, "The marriage is over." When a husband divorces his wife she leaves his house and goes to the house of her luwali. A wife cannot divorce her husband, but, as the Alkali of Geidam phrased it, "The power of a woman is in the law; the law helps her." As an example, he noted that if a woman hits her husband, that is nothing, but if a man hits his wife, the marriage can be dissolved by an Alkali. She can ask the court to grant her a divorce if her husband is impotent, and therefore not a real husband. If he disputes the accusation the court may actually attempt to ascertain whether it is true or not, by witnessing whether the husband is capable of having intercourse with his wife.

A man may divorce his wife twice, and take her back within the three months and ten day waiting period, or at any time after that. After the third time, he is forbidden from taking [794] her back until she has married and divorced another man. If they continue to live together after the third divorce, they are living in a state of sin called <u>dəi</u> for which the punishment is hell. A man may divorce his wife only once and say <u>dəia</u> to her, and the marriage is dissolved, just as if he had divorced her for the third time.

When a man divorces his wife, friends and neighbors frequently come to attempt to arbitrate their dispute (<u>sholo</u>). 586 681 The husband may finalize the separation by saying, "Yanyi" (She is like my mother). Having said this, the marriage is ended, and the husband may not take back his wife unless he pays a fine

586 779 • 681 of sixty bowls of millet. If he pays the fine they may resume living together as a married couple; if he does not pay, living together is haram (forbidden), equivalent to living with one's mother as one's wife. If, in the course of a quarrel, the husband calls his wife "Yanyi", he must pay the fine or the marriage is dissolved.

586 779 [692] It would seem that the husband's abilities to dissolve a marriage are much greater than those of his spouse. The wife, however, has many ways open to her for bringing about a divorce, and, as was noted above, the law protects her rights. If the wife merely dislikes her husband and wants a divorce from him, he may refuse unless she pays him a sum of money. Since the husband loses the luwaliram when he divorces his wife, he will demand that she return the luwaliram to him (and some times more in addition), if it is she who wishes to bring about an end to the marriage. Amicable divorces of this type, where it is the wife who seeks to initiate the divorce, are brought about by an agreement concerning the luwaliram payment. Should the husband refuse to divorce his wife, she may take to disobeying him, and cease to prepare his meals. In that case he may take her to court, and unless she has a reasonable claim against her husband (for example, that he beats her), the court will order her to swear on the Koran that she will behave properly in the future. Oaths taken on the Koran are thought of in very serious terms, and are not lightly broken. It is thought that a wife who has sworn on the Koran and who breaks her oath will die for swearing falsely.

586 779 626 695

[784]

and Yerima has actually carried out the threat often enough for all to know that he means business. It is much wiser and easier to compromise, and to receive gifts for having compromised, than to curry the Ajia's disfavor. In this way Yerima maintains harmonious relations with the Fulani in his district, and indeed with the Kanuri villagers as well, and satisfies the demands of the central authorities at the same time. The system is dependent on the work of Yerima's kabuna, who in turn are supported by Yerima. Ultimately funds to support Yerima's sixty odd kabuna come from tax funds, though this never appears in the accounting of taxes. Absolute loyalty to Yerima is demanded of all his kabuna. A kabuna found helping himself from Jangali, or using his position to extract money from villagers for himself, is severely dealt with.

5. The Roles of N.A. Personnel.

The roles of a number of political figures have been discussed in some detail above. In particular, the roles of Ajia and kabuna, of Lowan, and of Alkali have been examined and in every case it can be seen that traditional Kanuri roles have persisted into the present. The smooth functioning of the political system of Geidam has been attributed to the ability of individuals carrying out those roles, particularly of Yerima Mustapha, in perpetuating traditional relationships and adapting those relationships to the changing present.

However, in looking at the list of office-holders in Gei-

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177 441 accepting attitude towards Western material goods.

Having accepted these new behavioral alternatives and having achieved great success in their new activities, the status of the group of canteen operators began to change. Their roles were new and strange to them; they were unclear of their obligations in the changing situation. Though they now had important statuses in the community, there was no title to accompany these statuses. A pious Moslem who becomes wealthy is able to fulfill his obligation to carry out the pilgrimage to Mecca, and this the Canteen Operators did at the first opportunity. Five of the six members of that group in the present study became Alhajis, a title by which the pilgrim is henceforth addressed. This is a means to acquire prestige in the community, but it also serves another purpose --it demonstrates that the individual concerned is a pillar of faith in the community and may be expected to uphold traditional ways.

177 441 156 The "self" which the Canteen Operators seek to communicate to others is of an individual who is conservative, an upholder of tradition. This is in contrast to their acceptance of new sorts of behavior and to the recent changes to which they have been party within the social structure. Indeed, it is because of these things that the Canteen Operators present such a conservative "self" and in so doing they exhibit behavior which is predicted in hypothesis 3. In the case of the Canteen Operators the sanctions involved would be the rejection

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*177 441 156 [681] by others of the right of the Canteen Operators to occupy important positions in the community. This would be brought about by a denial of power and prestige on the part of other community members. In order to prevent this from happening, the Canteen Operators assert their identity as part of the Kanuri community by stressing traditional Kanuri values. It is their considerable degree of acculturation in certain behavioral areas, taken with their extreme conservatism, frequently in the same area of behavior, which leads to the characterization of the group as an unstable group.

Their inconsistencies, as exhibited in Table XLII, occur in almost every area of behavior. They would wear European shoes, but decidedly would not wear European trousers, thus indicating their extreme sensitivity to the difference between these two items of clothing. They fast at Tsuro Mbulo, though they rarely wear charms. They would visit a European doctor and prefer European medicine, though they prefer the Kanuri method of treatment for five of the six diseases. They would take their disputes to court and tend to place conditions on the giving of charitable gifts, and both of these have been discussed in terms of the ambiguity of expectations in their roles. They would send their son to school though they state a preference for the Koranic Malam over the Western school. They would marry a Hausa woman, though not a woman of any of the other tribes. Their most pronounced inconsistency is in the final two items of their profile. They are strongly in favor

634 571 561 Conversation among peasants suddenly stops when one of these fellows approaches the group.

634 692 The DH's followers are disciplined by the DH rather than the local Lawan. Peasant legal cases usually come before the Lawan for adjudication. But legal cases between peasants and DH's followers are brought to the DH or the District Alkali (Muslim judge) court. The DH disciplines his followers for any high-handed treatment of peasants because such behaviour if continued unchecked can bring action against him from higher up in the state. [681] Thus the DH Magumeri severely and publicly reprimanded his followers for misdemeanours such as assaulting peasants or not repaying debts. One member of the DH's organisation was publicly reprimanded and privately threatened with expulsion from the organization for burning down a pagan's hut because the latter would not give up his wife to the desires of the follower.

634 571 The followers of DH receive money, food, clothes and [illegible] in the society as members of a powerful organization. In return they give him the prestige afforded to anyone who has a large retinue of loyal supporters in a culture where such followings are highly valued. [557] Informants often remark that one DH was a "bigger" man than another 634 because he had more followers. They also serve as his executive and 571 carry out his decisions in the District. Thus in Magumeri District, 661 where not many of the people are enthusiastic about western education, the DH uses his followers to abduct children from their parents in order to fill the two classrooms of the District's only school. Another DH known to the writer assesses each Lawan for the amount of taxes he must raise annually with the understanding that there will be enough left over after revenue is delivered to the capital for the DH and the Lawan to have some cash gains. In one case a Lawan of the District claimed